



**WASHINGTON STATE EMERGENCY RESPONSE COMMISSION
MEETING MINUTES
December 4, 2013**

MEMBERS PRESENT:

Chief Bill Whealan, SERC Chair
Chief Mike Harris, SERC Vice-Chair, Washington Fire Chiefs, Alternate
Paul Perz, Washington State Patrol, Primary
John Butler, Department of Ecology, Primary
John Himmel, Department of Transportation, Primary
Richard Schroedel, Local Emergency Management-Westside, Primary
Sean Davis, Local Emergency Planning Committee-Eastside, Primary
Brian Felczak, Local Emergency Planning Committee-Westside, Alternate
Chris Utzinger, Military Department, Emergency Management Division, Primary

TRIBAL, FEDERAL, and OTHER STATE REPRESENTATIVES PRESENT:

Lee Shipman, Shoalwater Bay Tribe
Idell Hansen, Environmental Protection Agency, Region 10
Kathleen LeGreid, Environmental Protection Agency, Region 10

GUEST PRESENT:

Timothy Doyle, King County Office of Emergency Management
Jim Hall, Yakima County Office of Emergency Management, Emergency Management Council Chair
Butch Aiken, Asotin County Department of Emergency Management
JoAnne Boggs, Pend Oreille County Department of Emergency Management

SUPPORT STAFF PRESENT:

Sadie Whitener, Department of Ecology
Ron Bowen, Washington State Patrol, Fire Marshall Office
Lorri Gifford, Military Department, Emergency Management Division
Robert (Bob) Isaman, Military Department, Emergency Management Division
Chris Moores, Military Department, Emergency Management Division

CONFERENCE BRIDGE:

Jeremy Beck, Local Emergency Planning Committee-Eastside, Alternate

CALL TO ORDER and INTRODUCTION:

Chief Whealan called the meeting to order at 10:08 a.m. At the request of the SERC Chair, those in attendance and on the conference bridge introduced themselves.

- Mike Harris, SERC Vice-Chair, and reported on SERC activities at the October EMC meeting. Mike Harris shared highlights from October 3, 2013 EMC meeting. Jim Hall, EMC Chair, encouraged the

SERC to take another look at the Chemical, Biological, Radiological, Nuclear and Explosives (**CBRNE**) and statewide hazardous materials coverage. *John Butler shared* Any EMC member that would like to introduce any items for discussion or review was encouraged to complete an Action Request Worksheet for the EMC.

- Concerns with late 2013-2014 Emergency Management Preparedness Grant (EMPG) award notification.
- Department of Agriculture, Cliff Weed, presentation regarding their agency's role pesticide and fertilizer management
- Executive Order about Chemical Safety and Information Sharing
- EPA revised Tier II forms

Jim Hall addressed the SERC:

Keep EMC informed, it is not the EMC's intention to get in the way, but to keep updated for SERC needs and better support and he would like to be copied with SERC meeting minutes as a way of keeping up to date. Chemical, Biological, Radiological, Nuclear and Explosives (**CBRNE**) Jim reminded SERC members that a few years back a bill was introduced to legislators for support and funding, but the bill was dropped and it has not been brought back up again. Is it still an issue? Should it be reintroduced? Ecology and WSP worked these topic years ago and there were a couple studies done, 1) by private company and 2) by University of Washington. Both studies supported the need and recommended funding as there is no statewide coverage.

EMC Chair Hall stated, "....If we do nothing it may look like there is no need and that is not the case. We should not wait for something to happen before we take action....."

John Butler (Ecology) provided some background information and volunteered to give a presentation at the March 2014 SERC meeting giving the history and bringing everyone up to date on the CBRNE issue. When the CBRNE bill was introduced, WSP was tagged to take the lead. The State Fire Chiefs were not successful in obtaining support for the \$16-\$20 million budget request. The state's Toxics account did not have enough to support this funding level and at that point, there were no other funding sources to provide support either.

Jim recommends that the SERC look into this and if appropriate, submit an Action Request Worksheet form so that this gap is included in the EMC report to the Governor's Office Vancouver Fire Department's Chief Bivins was a great advocate for statewide CBRNE coverage, but when he retired things seemed to stop. Jim would like to find someone else, possibly at Fire Services, to take that role and actively pursue this matter.

MOTION: Create a committee to look into this matter and prepare report for SERC and EMC.

Discussion: John Butler, Ecology, volunteered to provide historical information at the next SERC meeting with a PowerPoint presentation.

During the discussion, Butch Aiken, Asotin County DEM, shared his county's frustration with this topic as they had storage issues between his county and Lewiston. Questions regarding who purchases, who provides storage, and who gets to use it? Ron Bowen, WSP, offered to assist Butch using his resources through the EMC's Homeland Security Equipment Subcommittee membership.

MOTION AMENDED: Task Ecology to do presentation at the March 2014 meeting. After the presentation, SERC will discuss and decide what further actions should be taken.

John Butler, Ecology, made the motion. Paul Perz, WSP, seconded the motion. Motion passed unanimously.

APPROVAL OF MINTUTES:

MOTION: Approve September 18, 2013 minutes as written.

Discussion: Paul Perz, WSP, had a couple corrections for the minutes.

- Page 2, Training Report, under Chief Conference, 1st bullet, 1st bullet, about keynote speaker, "Shorting" should be "Shooting"
- Page 2, Training Report, under Chief Conference, 1st bullet, 2nd bullet, talking about "at the scene" the scene be defined as "Columbine"
- Page 3, HazMat Program Budget and Grant Status, 1st bullet, "HMEP Program staff no mid-November" this should be "HMEP Program staff no later than mid-November"

MOTION AMENDED: Approve minutes with the above corrections.

Brian Felczak made motion, Richard Schroedel seconded the motion. Motion passed unanimously.

WORKGROUP REPORTS:

Training Workgroup: Ron Bowen, Washington State Patrol - Total student numbers for the year were down overall. Analysis showed that the numbers were from instructors that attended past train-the-trainer programs and have been supported by this office. It was reported that the numbers the previous year from this group of instructors were very good so a drop was not unexpected. We will be working with them over the next year to ensure they have all the materials they need and report student numbers

Current schedule of classes was distributed. Additional classes were announced including:

- Hazmat Operations, Chelan County; Sedro Woolley and WSP
- Hazmat Incident Command, Pend Oreille County
- Technician, an additional class will be held in June
- HM IQ, Cheney

The LEPC and HAMMER Conferences were discussed and tentative courses were announced. Planning on both conferences continues.

The Fire Marshal's Office and Pipeline Association of Washington (PAW) held three Pipeline Emergency Response Train-the-Trainer classes in Spokane; HAMMER and Longview. PAW is a new organization the OSFM has developed a working relationship with and will be providing additional training. Mike Callan, an internationally recognized instructor and developer of the course, presented the classes to 160 students. An additional class is being worked on in the King County area

Ron reported that the Hazmat website for the Fire Marshal's office has been updated. An additional page will be added to put information of interest to the first response community. Currently a large amount of information is emailed to multiple mailing lists weekly.

An email from Mike Schiller, General Manager of Operations for the Port of Vancouver was discussed. He is interested in providing training and other support along the Columbia River in case of issues on the rails. He will receive an invitation to the May SERC meeting to make a presentation.

A discussion on unit trains was held. The Fire Marshal's Office will be working with BNSF to see what training can be provided and other support.

For further information contact Ron Bowen at 360.596.3923 or email at ron.bowen@wsp.wa.gov

EPCRA Compliance Workgroup: Sadie Whitener, Department of Ecology - Sadie asked Idell Hansen and Kathleen LeGreid, EPA Region 10, to provide information on recent EPA activities.

Idell Hansen reported that EPA had conducted 48 inspections during federal fiscal year 2012-2013. Most of the inspections were at facilities within Washington. The focus was on release notifications and failure to report, that is failure to submit Tier Two – Emergency & Hazardous Chemical Inventory reports. The Failure to Report type represents the majority of the inspections completed. Oregon has different requirements than most other states and EPA was not able to travel to Alaska often. Idell reminded those present that the penalties for failing to report are steep.

Idell also mentioned that Grant and Adams Counties will be hosting workshops in December and that EPA and Ecology staff will be presenting EPCRA reporting information. They plan to do some inspections in the area as well. If you have a facility you would like EPA to inspect just let them know.

Kathleen LeGreid explained that her responsibilities include reviewing Facility Incident Notifications and often finds several issues, including that facility information is not current, they don't know who they are supposed to contact, or when and how to report the incidents. She shared a compliance assistance handout that is available online and shared with businesses during an inspection. It provides the EPCRA Release Notification requirements and some of the contact numbers (see attached handout #1). Emergency Managers, LEPCs, and first responders are encouraged to alert the facility operators and owners that they have contact with to familiarize themselves with what is expected when a chemical release occurs. She reminded everyone that a facility should report a release within 15 minutes and that some chemicals not only require a call to 911 and the SERC, but also requires contacting the National Response Center (NRC). A call to 911 satisfies most LEPC requirements, but not all. Some LEPCs may require that they be contacted directly by the facility. It is recommended that the facility's representative keep their current emergency contact information in several locations. Kathleen shared that there have been incidents recently where the representative had been locked out of the facility without access to their emergency contact information, which delayed reporting. Late reporting can result in substantial penalties.

For further information, contact Ms. Sadie Whitener at 360.407.6729 or email at swhi461@ecy.wa.gov

LEPC Planning Status: Bob Isaman, Military Department, EMD - Bob shared two documents reflecting the LEPC planning status information. The first is a map of Washington State reflecting the year each county's HazMat plan was last submitted. The second is a spreadsheet giving more details about the LEPC and their planning efforts.

Washington State has no enforcement authority over LEPCs to ensure their hazmat plans are reviewed annually and updated as needed. LEPCs are required to review and update the plans as needed, as well as notify the SERC when this happens.

Ferry County is the only LEPC that does not have a plan, but Bob is working with them and hopes to see a plan submitted soon. Five LEPC plans are currently under review for updates. A few of the items on the spreadsheet handed out are outdated so Bob will update and resubmit to the SERC Coordinator for distribution. Bob provided a reminder that pen and ink changes to plans do not need formal review, just major changes. If an LEPC is just updating training or exercise dates those can be sent to Bob (without the full plan). If submitting a full plan, the LEPC you can send it via email, paper copy, or submit it on a CD. Large files (maps, pictures, etc.) may not make it through email service. Bob reminded attendees that there is a SERC-approved template for HazMat planning and it is available via the EMD web site.

For further information, contact Mr. Bob Isaman at 253.512-7054 or email at robert.isaman@mil.wa.gov

HazMat Program Update – Lorri Gifford, Military Department, EMD - Lorri walked through a PowerPoint presentation discussion of the 2013-2014 HMEP grant process, application review, and awards.

The US DOT/PSHMP requested an outside firm to conduct a recipient review and assessment of the HMEP program. PHMSA had concerns about recipients' potential and actual noncompliance with programmatic requirement and their limited accountability for expenditure of federal funds. The review and assessment also included 16 states that received HMEP funding for the planning and training grants during the 2007-2008 performance period. Washington was not included in the 16 states reviewed. The review and assessment report found many problems at the federal, state and local level, which prompted an even further look at the program as a whole. The final reports reflects many issues, as well as suggestions for improvements

Lorri has been using this report as a guide for managing the current HMEP grant. Learning from the findings and making changes to ensure that our state's program is in compliance with the regulations. The changes have caused some confusion and misunderstanding with those under contract as these changes will be requiring more from the sub recipients then it has in the past.

Lorri also walked through the 2014-2015 HMEP timeline, which will start January 2014. EMD is requesting assistance from SERC to develop statewide priorities for funding. These priorities will be used by review panel during the application process as a guide for the types of projects that are most important and more likely to be funded. The scoring matrix used for many past years works, but it really does not set or indicate overarching priorities of the state.

SERC members asked for a copy of the review and assessment report as well as other program information when it becomes available. It was also noted that WSP provides training to the locals and should not be in competition for the HMEP training funds. A percentage of training funds should go directly to WSP for training local responders.

UNFINISHED BUSINESS:

Strategic Plan – Chief Whealan moved this topic to the next SERC meeting due to time restraints.

NEW BUSINESS:

2014 SERC Meeting Schedule:

Members present requested to modify the SERC meeting schedule and align with the EMC meeting schedule when possible. This makes it easier for members of both to attend without a lot of additional travel expense and time away from office.

The following SERC meeting dates were scheduled:

- March 5, 2014, 10am at Camp Murray
- May 6, 2014, 10am at Campbell's Resort, Chelan in conjunction with LEPC/Tribal Conference
- September 24, 2014, time to be determined, Spokane, in conjunction with WSEMA Conference
- November 5, 2014, 10am at Camp Murray

The 2014 EMC schedule is:

- January 9, 2014
- March 6, 2014
- May 1, 2014
- July 10, 2014
- September 4, 2014
- November 6, 2014

SERC Responsibilities, Membership and Bylaws:

Due to time restrictions and the amount of time it will take to discuss and make recommendations to update the Bylaws, Chair Whealan moved this topic to next SERC meeting.

MOTION: Incorporate SERC Responsibilities, SERC Membership in the SERC Bylaw Update topic and move to next SERC meeting.

Discussion: areas that members are interested in revisiting are:

- Voting process by phone
- Increase membership (add agencies, tribes, etc.) without having to change WAC each time SERC wants to add voting members
- Travel reimbursement for member attendance

Mike Harris, Fire Chiefs, made motion, Chris Utzinger, MIL, second the motion. Motion passed by unanimously.

Discussion returned to statewide priorities - WSP historically has received 100 percent of the HMEP Training grant award as they coordinate the HazMat training for first responders. WSP has been the only application submitted for the training grant. This changed for the 2013-2014 grant period as Clark County was awarded \$6,060 of the training grant to send HazMat Team to International Conference. This brought up a lot of concerns that this will open the door for LEPCs and tribes to apply and compete with WSP for training funds. HMEP is a competitive grant program so the SERC needs to develop the priorities.

Example of statewide priorities that Lorri shared:

- PLANNING GRANTS #1 – Ensure all LEPCs and tribes have an Emergency Response plan
- TRAINING GRANTS #1 – Ensure statewide training is available for all first responders

HMEP grant considerations brought up during discussion - Grant assessments should not be broken out by population as that will hurt smaller LEPCs and tribes. The HMEP guidelines have a primary focus on assisting rural and volunteer first responders. What's the Risk? Should this include information for THIRA? Maybe part of gap analysis? The process should be kept simple. Scoring sheet should follow the application.

Chair Whealan tasked the Review Committee and EMD Staff to get together, review, and modify score sheet as well as draft statewide priorities to be presented to SERC as soon as possible. It is possible that SERC will have to call special meeting to formally review and approve prior to the next scheduled meeting.

ADJOURNMENT:

MOTION: To adjourn meeting

Brian Felczak made the motion, Chief Harris seconded the motion. Motion passed unanimously.

Meeting adjourned by Chair Whealan at 1:30 p.m.